

To: Rothery, Deirdre[Rothery.Deirdre@epa.gov]; Smith, Claudia[Smith.Claudia@epa.gov]
Cc: Morales, Monica[Morales.Monica@epa.gov]
From: Ostendorf, Jody
Sent: Wed 1/6/2016 9:47:56 PM
Subject: RE: U&O FIP: Staff Level Drafts

Hi Dee, Monica and Claudia,

Jan called me back and left a message saying that we should have an attorney look into this. She said the person in her office that does CRA would not know it in sufficient detail to answer the question below. She also said that she doesn't believe Congress would focus on this rulemaking, and others in her office believe that too.

So, should we still track down a legal opinion? Would that be Mike Boydston?

Thanks,

Jody

Jody Ostendorf

State Implementation Plan Program Manager

Uinta Basin Project Coordinator

Air Quality Planning Unit (8P-AR)

1595 Wynkoop Street

Denver, CO 80202-1129

303.312.7814

From: Rothery, Deirdre

Sent: Wednesday, January 06, 2016 11:57 AM
To: Ostendorf, Jody <ostendorf.jody@epa.gov>; Smith, Claudia <Smith.Claudia@epa.gov>
Cc: Morales, Monica <Morales.Monica@epa.gov>
Subject: RE: U&O FIP: Staff Level Drafts

Hi Jody,

If you have not already heard back from Jan, please reach out to her.

Thanks,

Dee

From: Ostendorf, Jody
Sent: Monday, December 28, 2015 4:22 PM
To: Gilbreath, Jan <Gilbreath.Jan@epa.gov>; Smith, Claudia <Smith.Claudia@epa.gov>
Cc: Rothery, Deirdre <Rothery.Deirdre@epa.gov>; Morales, Monica <Morales.Monica@epa.gov>
Subject: RE: U&O FIP: Staff Level Drafts

Thanks for this information Jan.

I have a clarifying question based on my review of the CRA guidance located here:

<http://intranet.epa.gov/actiondp/documents/craguidance15-10-15.pdf>

“The CRA exempts the following types of rules from the definition of rule:

Rules of particular applicability, which are rules that name the specific entities that are subject to the rule. For example, a rule that names and imposes a requirement on only Acme Manufacturing is a rule of particular applicability.”

Ex. 5 - Deliberative Process

Please let us know your thoughts, thank you!

Jody

Jody Ostendorf

State Implementation Plan Program Manager

Uinta Basin Project Coordinator

Air Quality Planning Unit (8P-AR)

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From: Gilbreath, Jan

Sent: Tuesday, December 22, 2015 1:07 PM

To: Smith, Claudia <Smith.Claudia@epa.gov>

Cc: Rothery, Deirdre <Rothery.Deirdre@epa.gov>; Ostendorf, Jody <ostendorf.jody@epa.gov>;
Morales, Monica <Morales.Monica@epa.gov>

Subject: RE: U&O FIP: Staff Level Drafts

Claudia,

Thanks very much for sending this. I'll start taking a look tomorrow.

Ex. 5 - Deliberative Process

By the way, there used to be an OGC attorney who specialized in CRA provisions, but she retired two weeks ago. Not sure who will take up that work in her absence.

Jan

From: Smith, Claudia

Sent: Monday, December 21, 2015 5:24 PM

To: Gilbreath, Jan <Gilbreath.Jan@epa.gov>

Cc: Rothery, Deirdre <Rothery.Deirdre@epa.gov>; Ostendorf, Jody <ostendorf.jody@epa.gov>;
Morales, Monica <Morales.Monica@epa.gov>

Subject: U&O FIP: Staff Level Drafts

Jan,

As promised last week, attached are some recent staff level drafts of the proposed

Federal Register Notice and Technical Support Document for the Federal Implementation Plan for Existing Oil and Natural Gas Well Production Facilities on the Uintah and Ouray Indian Reservation in Utah, Docket ID EPA-R08-OAR-2015-0709, so that you can familiarize yourself with the proposed rulemaking. Please keep in mind that we are still in the process of addressing internal regional and headquarters staff level comments.

If you have any questions, feel free to contact me.

Thank you,

Claudia

Claudia Young Smith

Environmental Scientist

US EPA Region 8 Air Program

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<http://www2.epa.gov/caa-permitting/caa-permitting-epas-mountains-and-plains-region>

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